

SENATE BILL 1790

By Harper

AN ACT to amend Tennessee Code Annotated, Title 37,  
relative to juvenile justice.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 5, Part 1, is amended by  
inserting the following as a new, appropriately designated section thereto:

(a) As used in this section, unless the context otherwise requires:

(1) "Evidence-based" means a program or practice for which there is  
consistent scientific evidence showing that the interventions improve client  
outcomes;

(2) "Research-based" means a program or practice that has some  
research demonstrating effectiveness, but that does not yet meet the standard of  
evidence-based; and

(3) "Theory-based" means a program or practice that has general  
support among treatment providers and experts, based on experience or  
professional literature, may have anecdotal or case-study support, and has  
potential for becoming a research-based program or practice.

(b) The department of children's services, and any other state agency that  
administers funds related to the prevention, treatment or care of unruly and delinquent  
juveniles, shall not expend state funds on any juvenile justice program or program  
related to the prevention, treatment or care of unruly and delinquent juveniles, including  
any service model or delivery system in any form or by any name, unless the program is  
evidence-based. The department shall continue the ongoing research and evaluation of  
sound, theory-based and research-based programs with the goal of identifying and  
expanding the number and type of available evidence-based programs.

(c) The department shall include in any contract with a provider of services related to prevention, treatment or care of unruly and delinquent juveniles a provision affirming that the provider shall provide only evidence-based services.

(d) In order to prevent undue disturbance to existing department programs, the department shall ensure that thirty-three percent (33%) of the funds expended for unruly and delinquent juveniles meet the requirements of this section during fiscal year 2008-2009, that sixty-six percent (66%) of such funds meet the requirements of this section during fiscal year 2009-2010, and that one hundred percent (100%) of such funds meet the requirements of this section during fiscal year 2010-2011 and each fiscal year thereafter.

SECTION 2. The department of children's services, in conjunction with a representative of the administrative office of the courts and a representative of the Tennessee commission on children and youth, shall determine which of its current programs are evidence-based, research-based and theory-based programs, and shall provide a report of those findings, including an explanation of the support for those findings, to the governor, the senate general welfare, health and human resources committee, and the house children and family affairs committee, by no later than January 1, 2008.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.